

MESSAGE NO: 0291302 MESSAGE DATE: 10/18/2010

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-549-821

EFFECTIVE DATE: 09/29/2010 COURT CASE #:

PERIOD OF REVIEW: 08/01/2009 TO 07/31/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND FOR THE PERIOD 08/01/2009 THROUGH 07/31/2010 (A-549-821)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED PURSUANT TO SECTION 751(A)(1) OF THE TARIFF ACT OF 1930, AS AMENDED, AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: POLYETHYLENE RETAIL CARRIER BAGS

COUNTRY: THAILAND

CASE NUMBER: A-549-821

PERIOD: 08/01/2009 THROUGH 07/31/2010

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

COMPANY: FIRST PACK CO. LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: HI-PACK COMPANY, LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: ITW MINIGRIP (THAILAND) CO. LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE

ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: K INTERNATIONAL PACKAGING CO., LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: LANDBLUE (THAILAND) CO., LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: PRAISE HOME INDUSTRY, CO. LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: SIAM FLEXIBLE INDUSTRIES CO., LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: THAI JIRUN CO., LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: THAI PLASTIC BAGS INDUSTRIES CO., LTD.

CASE NUMBER: A-549-821-001

COMPANY: TRINITY PAC CO. LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: U. YONG LTD. PART., OR U. YONG INDUSTRY CO., LTD.

CASE NUMBER: A-549-821-012, A-549-821-000

CBP OFFICERS MUST ALSO EXAMINE ENTRIES UNDER A-549-821-000 AND ALL EXISTING COMPANY-SPECIFIC CASE NUMBERS TO ENSURE THE CONTINUED SUSPENSION OF LIQUIDATION OF ENTRIES DURING THE APPLICABLE PERIOD OF REVIEW FOR THE COMPANIES LISTED ABOVE.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS

INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF THE EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2009 THROUGH 07/31/2010 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 08/2010 ANNIVERSARY MONTH (75 FR 60076, 09/29/2010). FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH WAS 08/09/2004. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:MAR).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party